

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL GRASSI, <i>et al.</i> ,)	Case No. 1:18-CV-2619-PAB
)	
)	Judge Pamela A. Barker
Plaintiffs,)	
)	
v.)	
)	
JOHN GRASSI, <i>et al.</i> ,)	
)	
Defendants.)	

PLAINTIFFS' PROPOSED PRELIMINARY STATEMENT

Pursuant to the Court's Civil Trial Order dated June 3, 2022 (ECF Doc. 137), plaintiffs Michael Grassi and CFOM, Inc. ("Plaintiffs") submit this proposed preliminary statement to the Court. Plaintiffs submitted a draft to counsel for Defendants, and the two sides exchanged proposed revisions, but were not able to come to agreement based upon Defendants' instance of including statements that include that John Grassi is the sole inventor of the ablation casting technology at issue. Of course, this is one of the key issues in dispute to be decided at trial. Based upon the position of Defendants' counsel that they were "not willing to join in a joint statement that does not acknowledge John's place as the inventor of the ablation process," Plaintiffs are hereby submitting their Proposed Preliminary Statement for the Court's consideration.

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Proposed Preliminary Statement

This case arises out of a dispute between two brothers, John Grassi and Michael Grassi. John Grassi is the president of Alotech, a company that manufactures alloy castings for the automobile and automotive industry using a proprietary process known as ablation. Michael

Grassi is the sole owner of CFOM, Inc., a company that engages in research and development and manufacturing of mass flow controllers, and process technology for ablation and other industries.

Beginning in approximately 1999, John and Michael began working together on casting technologies. John Grassi has a bachelor's of science degree in metallurgical engineering. Michael Grassi has a bachelor's degree in mechanical engineering and a master's degree in non-equilibrium thermodynamics, which includes chemical interactions that cause explosions and how to prevent them. They each made various improvements and advancements to the ablation process, which ultimately resulted in a 2013 licensing agreement between Alotech and Honda. At some point in approximately late 2016, Michael and John had a dispute, which led them to stop working together in 2017.

This lawsuit is about who owns certain trade secrets and other intellectual property rights, and also about whether and how the proceeds earned by Alotech from the Honda licensing agreement were to be divided. Plaintiffs allege that John Grassi agreed to enter into a joint venture with Michael related to the Alotech process, and to pay Plaintiffs 35-percent of the proceeds thereafter, beginning with the Honda agreement. Defendants dispute that any such agreement ever took place.

Plaintiffs filed this lawsuit to enforce the agreement, to recover 35-percent of the proceeds from the Honda agreement, and also to enforce their ownership of certain trade secrets and other intellectual property rights. Defendants have brought a claim for declaratory judgment, contending that they are the sole owners of the trade secrets and intellectual property at issue.

November 28, 2022

Respectfully submitted,

/s/ Jeffrey Saks

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Certificate of Service

I hereby certify that on November 28, 2022, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Jeffrey Saks

Jeffrey Saks

*Attorney for Plaintiffs Michael Grassi
and CFOM, Inc.*